

Henry Cheng
Serial No.: 09/643,981
Amendment Accompanying Request for Continued Examination

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Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 1, 2, 4-6, 8-13, 23, 24 and 26-29 were rejected under 35 U.S.C. Section 102(b) as allegedly being "anticipated" by Williams (U.S. Patent No. 5,896,459). While not acquiescing in this rejection or in the characterization of Williams contained in the office action, independent claims 1, 5 and 23 have been amended. The discussion below makes reference to the amended claims.

Independent claim 1 is directed to a mixer that includes a mixer buffer for storing sample values for three or more sound channels, each sound channel including a main sound component and one or more corresponding auxiliary sound components. Send paths sends the auxiliary sound components for each sound channel to a sound effects processor, and return paths from the sound effects processor separately add the effects-processed auxiliary sound components for each of the three or more channels to the respective corresponding main sound component. Independent system claim 5 and independent method claim 23 each contains similar recitations. By way of example without limitation, these features find support in Figure 9B and the accompanying description relating to the left, right and surround channels, each of which includes a main component and AuxA and AuxB components.

Williams fails to disclose, among other things, sound channels each of which includes a main sound component and one or more auxiliary sound components. Williams generally discloses input channels (e.g., channels 12 in Figure 1 and channels 102 in Figure 3), but Applicant finds no disclosure in Williams that these channels have a main sound component and one or more auxiliary sound components as claimed. For this reason alone, Williams cannot anticipate the subject matter of the rejected claims. See, e.g., *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.")

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Audio mixer 100 of Williams provides a "dry" mix output 104, an effects return mix output 106, and a main mix output 108. The dry mix output 104 represents the sum or mix of individual input audio signals. The effects returns output 106 provides select or various combinations of select audio signals that have been processed by a special effects processor. The main mix output 108 provides a main audio mix representing the mix of the dry audio mix and the effects returns audio mix. None of these outputs 104, 106 and 108 results from separately adding effects-processed auxiliary sound components to respective corresponding main sound components. For this additional and independent reason, Williams does not anticipate the subject matter of the rejected claims.

The office action alleges the component of each channel (e.g., ch 1, ch 2, ... ch n-1, ch n that goes to the effect send 116 in Figure 3 of Williams) can be considered an auxiliary component of each channel, while the component of each channel that goes to the dry mix of Figure 3 can be considered as the main sound component. Applicant disagrees with this assertion. Nonetheless, even assuming for the sake of argument that Williams is viewed in this manner, claim 1 calls for separately adding the effects-processed "auxiliary component" of each of three or more channels to the respective corresponding "main component" of those channels. No such separate adding is disclosed or suggested or Williams.

For at least these reasons, Applicant respectfully submits that Williams does not anticipate claims 1, 2, 4-6, 8-13, 23, 24 and 26-29.

Claims 3, 7 and 25 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Williams in view the admitted prior art of Figure 11b. While not acquiescing in this rejection, Applicant notes that Figure 11b does not remedy the above-noted deficiencies of claims 1, 5 and 23, from which claims 3, 7 and 25 respectively depend.

Claims 14, 15 and 17-22 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Kaneoka (U.S. Patent No. 4,783,812) in view of Williams. Kaneoka is applied for its disclosure of a gaming system, but is admitted to lack a sound effects processor and a mixer as specified in claim 14. Williams is alleged to remedy this deficiency. The claim 14 mixer is similar to that described in claim 1, for

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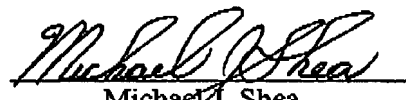
example. As explained above, Williams does not disclose such a mixer and thus the proposed combination of Williams and Kaneoka would not result in the subject matter of claims 14, 15 and 17-22.

Claim 16 was rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over the proposed Kaneoka-Williams combination, in further view of the admitted prior art of Figure 11b. Here again, while not acquiescing in this rejection, Applicant notes that Figure 11b does not remedy the above-noted deficiencies of claims 1, 5 and 23, from which claims 3, 7 and 25 respectively depend.

Applicant submits that the pending claims are in condition for allowance, and action to that end is earnestly solicited.

Respectfully submitted,

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